

# NEVADA LAWYER

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# Message from the President

**Cam Ferenbach**, State Bar of Nevada President



## Stepping up to the Bar

"Rule of law and the effectiveness of our judicial system depend not only on public confidence that judges are above reproach, but also on the competence and professional integrity of attorneys admitted to practice in Nevada."

Ever wonder why reasonably intelligent lawyers do unpaid work for state and local bars? The volunteer jobs are often time consuming and lead to little recognition. One benefit I've experienced over the years – involvement in bar associations can lead to meetings with very interesting people: leaders of all three branches of government, state and federal.

Justice John Paul Stevens was the featured speaker at the September 2002 Clark County Bar Association luncheon. He has returned to Las Vegas twice since then. Spending time with him was definitely one of the most memorable moments of my life. To Justice Stevens, confidence in judges and the judicial system is the "...true backbone of the rule of law."

In 1969, the Greenberg Commission was appointed by the Illinois Supreme Court to investigate corruption allegations involving its Chief Justice and a former Chief Justice. The commission assigned the task of special prosecutor to well respected, but little known, Chicago lawyer, John Paul Stevens. He served full time for a number of months without any compensation. Stevens' role with the Greenberg Commission led to statewide prominence. Shortly after his service, President Nixon appointed him to the Seventh Circuit Court of Appeals.

The case was vigorously prosecuted and the two Illinois Justices were forced from office. The Greenberg Commission report, drafted by John Paul Stevens, included the following statement:

There is nothing which is in our judgment so fundamental to the maintenance of a government based upon the Rule of Law, as the need of the public to understand that the decisions of our courts, often unpopular and seemingly contrary to prevailing public sentiment, are impartially and fairly arrived at and that the judges responsible for the decisions are above reproach.

"Law's Empire," by Ronald Dworkin, opens with a discussion of "What is Law?" This discussion focuses on the role of judges, first in criminal prosecutions and then in civil lawsuits. In this context, Dworkin observes:

Lawsuits matter in another way that cannot be measured in money or even liberty. There is inevitably a moral dimension to an action at law, and so a standing risk of a distinct form of public injustice. A judge must decide not just who shall have what, but who has behaved well, who has met the responsibilities of citizenship, and who by design or greed or insensitivity has ignored his own responsibilities to others or exaggerated theirs to him. If this judgment is unfair, then the community has inflicted a moral injury on one of its members because it has stamped him in some degree or dimension as an outlaw. The injury is gravest when an innocent person is convicted of a crime, but it is substantial enough when a plaintiff with a sound claim is turned away from court or a defendant leaves with an undeserved stigma. The difference between dignity and ruin may turn on a single argument that might not have struck another judge so forcefully, or even the same judge on another day. People often stand to gain or lose more by one judge's nod than they could by any general act of congress.

It is useful to reflect on these fundamental truths regarding our form of government and the rule of law. The state bar has an important role to play. The rule of law and the effectiveness of our judicial system depend not only on public confidence that judges are above reproach, but also on the competence and professional integrity of attorneys admitted to practice in Nevada. In this context we can appreciate the importance of the work done every day by our staff and volunteer attorneys in admissions, discipline, client protection and continuing legal education.

Thanks to all of you who volunteer to serve on state bar committees and panels. For those of you not currently volunteering, please visit our website, [www.nvbar.org](http://www.nvbar.org), and consider applying for appointment to a vacant position. I can assure you that your service will be much appreciated and personally rewarding.

## TECHNOLOGY UPDATE

The Thomson Reuters Foundation has launched a new service on the web called "TrustLaw." The goal of this service, as reported the media is, "to transform access to pro bono legal support and provide an international hub on anticorruption and good governance issues."

The URL is [www.trust.org/trustlaw](http://www.trust.org/trustlaw). Part of the website is devoted to "TrustLaw Connect," self described as, "a free international pro bono vehicle designed to make it easier for organizations with limited means to access free legal assistance and simpler for lawyers to engage in high impact pro bono work." ■